

An Ordinance to repeal, amend and re-ordain Section 4-133 of the Code of the Town of Hurt, 1967, relating to Advertising and Notice Requirements for All Zoning-related Activities.

Be it ordained by the Town Council of the Town of Hurt:

1. That Section 4-133 of the Code of the Town of Hurt, 1967, be repealed, amended and re-ordained as follows:

**Part 3 – Advertising and Notice Requirements for All Zoning-related Activities**

**Sec. 4-133. Advertising and Notice Requirements for All Zoning-related Activities**

A. Plans or ordinances or amendments thereof, recommended or adopted under this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a reference to the place or places within the town where copies of the proposed plans, ordinances or amendments may be examined.

B. The Commission shall not recommend nor the governing body adopt any plan, ordinance or amendment until notice of intention so to do has been published once a week for two successive weeks in some newspaper published or having general circulation in the Town provided, that such notice for both the Commission and the governing body may be published concurrently. Such notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than six days nor more than twenty-one days after the second advertisement shall appear in such newspaper. The Commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If such joint hearing is held, the public notice as set forth above need be given only by the governing body. The term two successive weeks as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication.

C. When a proposed amendment of the zoning ordinance involves a change in the zoning classification of twenty-five or less parcels of land, then, in addition to the advertising as above required, written notice shall be given by the commission and/or the governing body at least five days before the hearing to the owner or owners, their agent or occupant, of each parcel involved, and to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

D. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 but less than 500 parcels of land, then, in addition to the advertising as above required, written notice shall be given by the Commission and/or the governing body at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance with this requirement provided that a representative of the Commission and/or the governing body shall make affidavit that such mailing have been made and file such affidavit with the papers in the case. Nothing in this paragraph shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the Commission and/or the governing body to give written notice to the owner, owners or their agent of any parcel involved.

E. At the time an application is filed with the town, a sign shall be posted on the property by the applicant notifying interested persons that a zoning action involving the property is pending. Where the zoning action has been initiated by the planning commission or by the town council, the sign shall be posted on the property by the town. Such sign shall be located along the edge of the right-of-way of a public street or road, upon which such business or proposed use fronts. The sign shall be placed on the property at 500-foot intervals. If the property in question has a 500-foot or less frontage, one sign shall suffice. Where property does not front on an existing right-of-way, such sign shall be placed within the right-of-way of the nearest street or road.

F. After enactment of any such plan, ordinance or amendment, further publication thereof shall not be required.

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